

AMENDED IN SENATE MAY 28, 2003

AMENDED IN SENATE MAY 13, 2003

AMENDED IN SENATE MAY 1, 2003

AMENDED IN SENATE APRIL 9, 2003

## SENATE BILL

**No. 537**

### **Introduced by Senator Romero**

(Principal coauthor: Assembly Member Chavez)

February 20, 2003

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An act to ~~add Section 44013 to the Public Resources Code, relating to solid waste.~~ *relating to solid waste.*

#### LEGISLATIVE COUNSEL'S DIGEST

SB 537, as amended, Romero. Solid waste: ~~facilities permits management:~~ *Los Angeles County Sanitation Districts.*

#### **Existing**

*Existing* law, the California Integrated Waste Management Act of 1989, administered by the California Integrated Waste Management Board, establishes an integrated waste management program, including the regulation of solid waste disposal. ~~Under existing law, a person may not operate a solid waste facility without a solid waste facilities permit if the facility is required to have a permit. Existing law authorizes an enforcement agency to issue a solid waste facilities permit and the board is required to concur or object to the issuance of a solid waste facilities permit pursuant to a specified procedure. If the board fails to concur or object in writing within a 60-day review period, the board is deemed to have concurred in the issuance of the permit.~~

*The County Sanitation District Act authorizes a county sanitation district to acquire, construct, and complete certain works, property, or structures necessary or convenient for sewage collection, treatment, transfer, and disposal.*

~~This bill would prohibit the enforcement agency from issuing, modifying, or revising a solid waste facilities permit, to exceed by more than 5% the capacity that was permitted for that facility on a specified date, with regard to the Grand Central Recycling and Transfer Station or the Puente Hills Materials Recovery Facility. The bill would also prohibit the board from concurring in, and would provide that the board not be deemed to have concurred in, the issuance, modification, or revision of a solid waste facilities permit that is prohibited by the bill require the Sanitation Districts of the County of Los Angeles, by July 1, 2004, to report to the Legislature on specified information relating to the design of a solid waste system planned to be developed in the jurisdiction of the districts. The bill would impose a state-mandated local program by imposing a new duty on a local agency.~~

~~This~~

(2) *This bill would make legislative findings and declarations regarding the need for special legislation.*

(3) *The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~ yes.

*The people of the State of California do enact as follows:*

- 1 ~~SECTION 1. Section 44013 is added to the Public Resources~~
- 2 ~~SECTION 1. (a) For purposes of this section, the following~~
- 3 ~~definitions shall apply:~~

1 (1) “District” means the Sanitation Districts of the County of  
2 Los Angeles.

3 (2) “Materials recycling facility” or “MRF” means a solid  
4 waste facility, as defined in Section 40194 of the Public Resources  
5 Code, that recycles solid waste, as defined in Section 40180 of the  
6 Public Resources Code.

7 (b) On or before July 1, 2004, the district shall report to the  
8 Legislature on all of the following information relating to the  
9 design of the solid waste system that is planned to be developed in  
10 the jurisdiction of the district:

11 (1) The gross tonnage of solid waste generated within the  
12 district in 2002, or the most recent year for which that data may  
13 be available.

14 (2) The estimated gross tonnage of solid waste that will be  
15 generated in 2014 within the district.

16 (3) The gross tonnage of solid waste diverted in 2002, or the  
17 most recent year for which that data may be available, from landfill  
18 disposal or transformation through source reduction, recycling,  
19 and composting activities, as required by Part 2 (commencing with  
20 Section 40900) of Division 30 of the Public Resources Code.

21 (4) The gross tonnage of solid waste estimated to be diverted in  
22 2014 from landfill disposal or transformation through source  
23 reduction, recycling, and composting activities, as required by  
24 Part 2 (commencing with Section 40900) of Division 30 of the  
25 Public Resources Code.

26 (5) The gross tonnage of solid waste estimated to be transferred  
27 in 2014 by rail to the solid waste landfill owned and operated by  
28 the district.

29 (6) The number of transfer facilities estimated to be needed in  
30 2014 for transfer of solid waste by rail to the solid waste landfills  
31 owned and operated by the district.

32 (7) The number of materials recycling facilities estimated for  
33 2014.

34 (8) The location of sites being evaluated for 2014 for an MRF.

35 (9) The status of permits for MRFs needed to meet tonnage  
36 capacities for 2014.

37 (10) The number of rail transfer facilities needed for 2014.

38 (11) The location of sites being evaluated for 2014 for rail  
39 transfer facilities.

1     (12) *The status of permits for sites being evaluated for 2014 for*  
2 *rail transfer facilities.*

3     (13) *The status, as of July 1, 2004, of an updated planning*  
4 *document on the entire waste by rail project, from pickup to desert*  
5 *disposal.*

6 Code, to read:

7     ~~44013. (a) Notwithstanding Sections 44004, 44007, 44008,~~  
8 ~~and 44010, the enforcement agency may not issue, modify, or~~  
9 ~~revise the solid waste facilities permit of the Grand Central~~  
10 ~~Recycling and Transfer Station, which bears file number~~  
11 ~~19-AA-1042, pursuant to subdivision (b) of Section 18010 of Title~~  
12 ~~14 the California Code of Regulations, to allow the facility to~~  
13 ~~exceed by more than 5 percent the capacity that was permitted on~~  
14 ~~March 14, 2001.~~

15     ~~(b) Notwithstanding Sections 44004, 44007, 44008, and~~  
16 ~~44010, the enforcement agency may not issue, modify, or revise~~  
17 ~~the solid waste facilities permit of the Puente Hills Materials~~  
18 ~~Recovery Facility, which bears file number 19-AA-1043 pursuant~~  
19 ~~to subdivision (b) of Section 18010 of Title 14 of the California~~  
20 ~~Code of Regulations, to allow the facility to exceed by more than~~  
21 ~~5 percent the capacity that was permitted on August 24, 2000.~~

22     ~~(c) Notwithstanding Section 44009, the board may not concur,~~  
23 ~~and may not be deemed to have concurred, in the issuance,~~  
24 ~~modification, or revision of a solid waste facilities permit that is~~  
25 ~~issued, modified, or revised in the manner prohibited by~~  
26 ~~subdivision (a) or (b).~~

27     SEC. 2. Due to the unique circumstances concerning the  
28 concentration of solid waste facilities in an area of the County of  
29 Los Angeles, the Legislature finds and declares that a general  
30 statute cannot be made applicable within the meaning of Section  
31 16 of Article IV of the California Constitution. Therefore, this act  
32 is necessarily applicable only to Los Angeles County.

33     SEC. 3. *Notwithstanding Section 17610 of the Government*  
34 *Code, if the Commission on State Mandates determines that this*  
35 *act contains costs mandated by the state, reimbursement to local*  
36 *agencies and school districts for those costs shall be made*  
37 *pursuant to Part 7 (commencing with Section 17500) of Division*  
38 *4 of Title 2 of the Government Code. If the statewide cost of the*  
39 *claim for reimbursement does not exceed one million dollars*

1 (\$1,000,000), reimbursement shall be made from the State  
2 Mandates Claims Fund.

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